

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:24-cr-42

vs.

MICHAEL MCHALE,

District Judge Michael J. Newman

Defendant.

ORDER: (1) GRANTING DEFENDANT’S UNOPPOSED ORAL MOTION TO CONTINUE; (2) EXCLUDING THE TIME FROM OCTOBER 4, 2024 TO NOVEMBER 3, 2024 FROM THE SPEEDY TRIAL ACT CALCULATION; (3) FINDING THAT THE SPEEDY TRIAL ACT DEADLINE IS NOVEMBER 8, 2024; (4) VACATING THE TRIAL SCHEDULED FOR OCTOBER 7, 2024; (5) SETTING TRIAL FOR NOVEMBER 6, 2024; AND (6) SETTING A STATUS REPORT DEADLINE OF OCTOBER 30, 2024

On October 4, 2024, the Court and the parties held a telephone status conference. AUSA Christina Mahy appeared on behalf of the Government, and Federal Public Defender Thomas W. Anderson appeared on behalf of Defendant. During the status conference, Defendant’s counsel made an unopposed oral motion to extend the Speedy Trial Act Deadline by 30 days. For good cause shown and pursuant to the requirements of the Speedy Trial Act, the Court **GRANTS** the requested continuance.

The Court finds that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), after considering the factors set forth therein, the ends of justice are served by granting a continuance and that such continuance outweighs the best interest of the public and Defendant in a speedy trial. Failure to continue would deny both the Government and Defendant the time necessary for effective trial

preparation and the ability to explore all available means of resolving this case. *See* 18 U.S.C. § 3161(h)(7).

Consequently, the time from October 4, 2024 until November 3, 2024 is **EXCLUDED** in computing the time period set forth in 18 U.S.C. § 3161 within which the United States must bring Defendant to trial. Accounting for the time excluded from the Speedy Trial Act calculation, the new **Speedy Trial Act deadline** in the instant case is **November 8, 2024**.¹ The Court also **VACATES** the October 7, 2024 trial date and **SETS** trial for **November 6, 2024**. Finally, the Court **REQUIRES** the parties to file a joint status report by **October 30, 2024**.

IT IS SO ORDERED.

October 7, 2024

s/Michael J. Newman
Hon. Michael J. Newman
United States District Judge

¹ If counsel disagrees with this calculation, counsel shall file a notice containing their proposed Speedy Trial Act calculation and deadline.